

## LEAVE AND WORK SCHEDULES

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### INTRODUCTION

The following is an overview of the types of leave and work schedules. It is a synopsis of several Regulations and INSTRUCTIONS. It is not intended to reproduce the Commissioned Corps Personnel Manual (CCPM). The official policy/regulation is in the CCPM. Please note: INSTRUCTIONS and Regulations are in a PDF file format, which requires Acrobat Reader. If you do not have a copy of Adobe Acrobat Reader, you may [download](#) a free copy from the Adobe web site.

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### POLICY

Commissioned corps officers are subject to duty 24 hours each day, every day of the year. Furthermore, an officer on leave, including station, sick, and annual leave, is subject to recall to duty any time. Because an officer is subject to duty 24 hours a day, an officer is not entitled to overtime pay or compensatory time when he or she works longer than 8 hours a day or more than 40 hours a week.

An officer must be either on duty or on approved leave at all times. Except in cases of an emergency, leave taken by the officer **MUST** be approved in advance by the officer's leave granting authority. **Form PHS-1345 is used to request leave.**

The programs to which officers are assigned are responsible for maintaining leave records. **The Division of Commissioned Personnel does not maintain copies of leave records except for the originals of sick leave submitted to the Medical Affairs Branch.**

An officer's supervisor can establish any reasonable duty or work hours for the officer that are necessary to meet the needs of the program. Any work schedule developed to define "work hours" for an officer is for administrative convenience only, and does not establish any rights for the officer or restriction on management in making adjustments or changes necessary to meet program needs.

**(Commissioned Officers' Handbook 1998, CCPM Pamphlet 62)**

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**ANNUAL LEAVE**

Annual leave accumulates at the rate of 30 days per year or 2 ½ days per month. The leave year is the calendar year, January 1 through December 31. Officers cannot carry forward more than 60 days of leave from one leave year to the next. A one time exception occurred following September 11, 2001, and is found in Manual Circular Number 368.

**Form PHS-1345** is used to request and approve annual leave. Annual leave must be approved in advance by the leave granting authority. Annual leave is approved in whole days **only**.

Annual leave is charged for non-workdays including holidays that fall within days of annual leave. This also applies to officers having special or nontraditional duty hours and schedules.

Terminal leave is annual leave taken subsequently to submission of a request for separation. It must be approved by the leave granting authority **prior** to the submission of a separation request. However, terminal leave may not be authorized when the officer will be divested of leave benefit balances; for example, if by resigning the officer will break a special pay contract or fail to complete a service obligation. Leave shall not be granted, as annual leave or otherwise, to any individual who has indicated that he or she intends to break a service obligation.

A lump sum payment for up to 60 days unused leave may be paid once in a career. That payment does not include basic allowance for housing or any other pay elements. **INSTRUCTION 2, "Annual Leave," Subchapter CC29.1 of the CCPM.**

The Commissioned Officers Leave Tracking System (COLTS) provides an enhanced, web-based version of the PHS-31, "Officers Leave Record" implemented on the World Wide Web. The COLTS extends to the Leave Maintenance Clerk (LMC) the ability to record and remove instances of annual leave taken by the officers in their charge. You may access your COLTS record at the DCP Web site, <http://dcp.psc.gov>, under the secure area.

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**SICK LEAVE**

Sick leave is requested and approved on form PHS-1345. Sick leave is authorized when medically justified for incapacity due to illness, but not for illness of a family member. For the later, an officer must request annual leave.

As a general rule, documentation is needed when the request is for more than three days, however the leave granting authority may require a physician's statement for any period of sick leave, even for partial days. If an officer is on sick leave for an extended period, usually for a period of 90 consecutive days or 120 cumulative days in one year, a fitness for duty examination may be requested by the officer, the Agency or DCP.

Maternity leave is sick leave granted because of incapacity due to pregnancy, delivery, and postpartum convalescence. Maternity leave is granted for 42 days (56 days if Caesarean section) beginning the day following the day of hospital discharge. **INSTRUCTION 4, "Sick Leave," Subchapter CC29.1 of the CCPM.**

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## **STATION LEAVE**

Station leave is any absence from duty for a period of less than 1 full workday. It must be approved in advance by the leave granting authority. Station leave is **NOT** a right; it is a privilege which will be granted **prudently and only for legitimate reasons.** An officer is on duty 24 hours/7 days a week. When an officer is not scheduled for duty (i.e., weekends, holidays, days off, etc.), they are technically in station leave.

Station leave during scheduled work hours should be approved only when such leave is necessary to permit an officer to carry out activities that would be difficult or impossible, to conduct during non-work hours, such as: emergency repairs to plumbing. It should **never** be granted to reduce the work hours of an officer. **INSTRUCTION 1, "Leave of Absence; General," Subchapter CC29.1 of the CCPM.**

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## **ADMINISTRATIVE LEAVE**

Up to 5 days per year of administrative leave may be granted to attend professional meetings, take licensure or certification exams, etc. Up to 3 days administrative leave can be granted upon departure and arrival on a Permanent Change of Station. Administrative leave **cannot** be granted upon separation or retirement. **INSTRUCTION 1, "Leave of Absence; General," Subchapter CC29.1 of the CCPM.**

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## **COURT LEAVE**

Court leave is applicable when an officer is:

- On jury service;
- A witness for the U.S. or District of Columbia (D.C.) Government;
- A witness on behalf of State or local government;
- A witness on behalf of a private party in an official capacity; or
- A witness on behalf of a private party when U.S., D.C., or State government is a party in the suit.

An officer **must take annual leave** if he/she is a witness on behalf of a private party when the U.S., D.C., State, or local government is **NOT** a party to the litigation. **INSTRUCTION 1, “Leave of Absence; General,” Subchapter CC29.1 of the CCPM.**

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### **ABSENCE WITHOUT LEAVE (AWOL)**

An officer is AWOL when absent from his/her duty station unless the period of absence is approved by his/her leave granting authority as annual, sick, station, administrative, or court leave, as applicable. An officer receives no pay or benefits while in AWOL status. The officer’s commission can be summarily terminated if he/she is AWOL for 30 consecutive days.

The Agency must notify DCP immediately by fax, (301) 443-3101, or email, [http://cchapman@psc.gov](mailto:http://cchapman@psc.gov), that an officer is in an AWOL status. Also, DCP must be notified immediately when the officer returns to duty. **INSTRUCTION 5, “Absence Without Authorized Leave,” Subchapter CC29.1 of the CCPM.**

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### **WORK SCHEDULES**

***Alternative Work Schedules*** - The work hours of an officer can be fixed, or the starting and ending times can be flexible as determined by the officer’s supervisor. Therefore, the general concept of flexitime applies to commissioned corps officers only in the context of flexible starting and ending times on duty, and not in defining any “basic work requirement,” as provided in the civil service definition. That is, it does not create an entitlement for the officer to work only an 8-hour-day, or prohibit management from requiring additional work hours on any given day. Further, an officer cannot earn credit hours as can a civil servant.

***Alternate Work Plan*** - The work hours of an officer are established by the supervisor and can be any number of hours in any type of pattern consistent with the needs of the program. However, such a pattern does not entitle an officer to a certain number of hours or days of “leave” as is the right of a civil servant. Further, any agreement reached by an officer and program supervisor, and any records kept as to work hours of an officer do not create any entitlement to certain hours or any days “off.” **INSTRUCTION 10, “Use of Alternative Workplaces,” Subchapter CC23.5 of the CCPM.**

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## **QUESTIONS**

***What should I do if I become ill during the period of Annual Leave?***

You should notify your supervisor/leave granting authority as soon as practicable. Upon return to duty you provide the supervisor/leave granting authority the legitimate documentation necessary to establish illness. Form PHS-1345 should be changed to reflect the conversion from Annual Leave to Sick Leave and an additional PHS-1345 completed for the period of Sick Leave.

***I don't have a designated timekeeper. Can't I keep my own leave?***

No. Annual leave records represent pay and, therefore, must be safeguarded in the same way as other records involving funds.

***I'm out of Forms. Where can I get more?***

You may obtain forms from your timekeeper. This is the person designated to order forms. You may also check with the Agency Liaison if the timekeeper is unavailable.

***What is the COLTS system?***

The Commissioned Officers Leave Tracking System is a real-time web-based version of the Form PHS-31, "Officers Leave Record." It provides an accurate system for leave accrual and deductions. The officer may access the system on the DCP Web site, <http://dcp.psc.gov>, under the secure area. You will need your ID. If you do not have an ID or have lost your previous one, you may obtain a new ID by calling the DCP Help Desk at (301) 594-0961. Not all agencies have converted to the electronic COLTS system, but are in the process. You may wish to ask your timekeeper if your Agency is in the system yet.

***If I attend a seminar as temporary duty, can I add a couple of days Annual Leave?***

Yes. However, remember that Temporary Duty travel is used only for official purposes, and never as a means of providing Government-paid travel for personal reasons. The method for calculation of possible annual leave is found in INSTRUCTION 2, "Annual Leave," Subchapter CC29.1 of the CCPM.

***Do I have to tell my supervisor where I will be?***

Yes. Officers are subject to call to duty 24 hours each day, every day of the year. Therefore, an officer is subject to recall to duty at any time from annual, station, or administrative leave, and is required to keep his/her leave granting authority informed of his/her whereabouts during any period of leave, including sick leave.

***Do I have to fill out a form? (Yes) Isn't just telling my supervisor I'll be gone sufficient? (No)***

Leave records are subject to the provision of the Privacy Act of 1974. INSTRUCTION 7, "Rights, Responsibilities and Personnel Records of PHS Commissioned Officers Under the Privacy Act," Subchapter CC26.1 of the CCPM designates the procedures to be followed in the maintenance of these records. This designates that a form be completed and the appropriate signatures obtained.

***If I become ill, do I have to report in to work or can I call my supervisor?***

You should contact your supervisor/leave granting authority as soon as practicable to report your illness. You must inform your supervisor/leave granting authority of your whereabouts and the most convenient method to contact you during the period of sick leave. When you return to duty, you must complete a PHS-1345. Your supervisor/leave granting authority may request legitimate documentation of the incapacitation.

***Does leave have to have prior approval?***

Yes. Prior approval is necessary to afford the supervisor and Agency the opportunity to plan for program needs.

***Can my supervisor make me return to duty from leave?***

Yes. Officers are subject to recall to duty 24 hours per day and 7 days a week.

***I converted from the Civil Service to the Corps. Why doesn't my leave carry over?***

These are two different personnel systems. As such transference of leave from one system is not permitted by Statute.

***How many days sick leave do I accrue per year?***

There is no accrual of sick leave under the PHS Commissioned Corps leave system.

***Are Commissioned Officers covered under the Family Leave Act.***

No. The laws governing the Family Leave Act is restricted to civilian employees. The law does not cover members of the uniformed services. These are two different personnel systems.

***What type of leave do I take if I volunteer at a camp and do not receive pay?***

Annual Leave. You should also complete a Form HHS-520, "Outside Activities" prior to the period of leave.

***Who should I contact if I have questions about leave?***

You should first contact your Agency Liaison. The names of the Liaisons are provided on the DCP Web site, <http://dcp.psc.gov>, under “about us.”

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